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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/443,801 05/18/95 SATO

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EXAMINER GHANNAM, M
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ART UNIT	PAPER NUMBER
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2617

DATE MAILED:

10/10/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**08/443,801**

Applicant(s)  
**Sato et al.**

Examiner  
**Mohammed R. Ghannam**

Group Art Unit  
**2617**



☒ Responsive to communication(s) filed on Jul 17, 1996

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-4 and 6-11 is/are rejected.

☒ Claim(s) 5 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Mar 18, 1995 is ☒ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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**DETAILED ACTION**

1. Claims 1-11 are presented for examination. This office action is in response to the amendment filed on 7/17/96.
2. The previous rejection under 35 U.S.C. § 112, second paragraph, has been withdrawn because of the arguments presented by applicant. A new rejection under 35 U.S.C. § 112, first paragraph, is given due to Amendment.

***Response to Amendment***

3. The amendment filed 7/17/96 is objected to under 35 U.S.C. § 132 because it introduces new matter into the specification. 35 U.S.C. § 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:  
**"including vehicle identification data".**

Applicant is required to cancel the new matter in the response to this Office action.

4. Applicant's arguments with respect to claim 1-4, 6-8 and 11 have been considered but are deemed to be moot in view of the new grounds of rejection.

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**Specification**

5. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as the specification, as originally filed, does not provide support for the invention as is now claimed.

The added material which is not supported by the original disclosure is as follows: "**including vehicle identification data**".

**Claim Rejections - 35 USC § 112**

6. Claims 8-11 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

**Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section

371(c) of this title before the invention thereof by the applicant for patent.

8. Claims 1-3 and 6 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by **Morimoto**.

For claim 1,

**Morimoto** discloses a navigation system mainly conceived to guide a driver to a destination having all the claimed subject matters, as noted:

- 1) the claimed on vehicle data processor ... data receiving portion is met by the navigation system having the communication section 4 (col. 3-4, line 65).
- 2) the claimed processor transmitting a start signal under a predetermined condition is met by the transmission of a request by the navigation system to the information center (col. 6, line 42);
- 3) the claimed off-vehicle input unit is met by the information center functions to store the data (col. 6, line 42);
- 4) the claimed data storage unit is met by the information center ... functions to store the data necessary for navigation. (col. 6, line 42);
- 5) the claimed sensor unit, transmitter and transmitting the data stored ... when the start signal transmitted is sensed are met by the information center functions to

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transmit the necessary data in response to a demand of the user (col. 6, line 42);

For claim 2:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claim 1 above. Furthermore, the claimed information center is met by the information center (col. 6, line 42). In regard to the claimed data processor having a transmitter, **Morimoto** discloses the communication section 4 (col. 5, line 15); also, the starting of the processor is met by the request inputted by the user of the navigation system.

For claim 3:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claims 1 and 2 above. **Morimoto** further discloses the claimed mobile telephone system met by the voice telephone (col. 6, line 47).

For claim 6:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claim 1 above. **Morimoto** further discloses the claimed navigation system is met by the navigation system and the data input unit met the information center functions to store the data necessary for navigation (col. 6, line 42).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

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A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

10. Claims 4,8,9 and 10 are rejected under 35 U.S.C. § 103 as being unpatentable over **Morimoto** in view of **Milliorn** or **Moore**.

For claim 4:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claims 1 and 2 above. **Morimoto** discloses the claimed invention except for the polling of vehicles by the sensor unit. He does disclose the information center responds to a request signal from a navigation system. In order to accommodate multi-users the information center would need to respond to a multitude of request signals transmitted by each navigation system. The information center would have to elicit each of the navigation system to sense the users requests. Polling is a known and old technique used to sense a multitude of transmitted signals to a remote location such as an information center.

**Milliorn** teach a base station which eliciting a radio mobile unit to identify a operating radio mobile unit within RF communication proximity of the base station.

**Moore** discloses two way communication between a controller and a multiple portable units. The controller polls each of the portable units for a response.

Since the information center can be used to serve a plurality of users, an organized method for replying to a queue is needed. Many techniques are know to sense requested data such as priority and random sensing as well as polling.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to readily realize polling could have been used by the information center to sense the request signals.

for claim 8:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claim 1 above. However, **Morimoto** does not teach the claimed request signal including vehicle identification data.

**Milliorn** teach communication between a base station and a radio mobile unit. The base station elicits a radio mobile unit to identify a operating radio mobile unit, having ID code, within RF communication proximity of the base station. The ID code is used to identify the radio mobile unit when it is polled.



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Also, in cellular systems a mobile unit transmits information such as number of the mobile unit, a serial number of the mobile unit, the number being called by the mobile unit. The serial number of the mobile unit is used for billing purposes.

The ID code used in **Milliorn** could be used in **Morimoto's** system to identify which navigation system is requesting information from the information center, when polled, for billing purpose.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include ID code such as the ID code taught by **Milliorn** or the serial number taught in cellular system to be incorporated into **Morimoto's** invention.

For claim 9:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claims 8 and 2 above.

For claim 10:

**Morimoto** discloses all the claimed subject matter as stated in the rejection of claims 9 and 3 above.

11. Claims 7 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over **Morimoto** in view of **Taniguchi**.

For claim 7:

**Morimoto** discloses voice processor 56 for synthesizing and converting voice, phrase, sentence and sound data, which supports

the claimed audio system. However, he fails to disclose the claimed input unit that inputs music information.

**Tanigguschi** discloses that it is known in the art to provide an input unit for music information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the central subsystem of **Morimoto** with the music input unit device of **Taniguchi** that provides a variety of information (both music and traffic information).

For claim 11:

Claim 11 is rejected for the reasons set forth in the rejection of claims 8 and 7 above. **Tanigguschi** further discloses that it is known in the art to provide a request signals for music information.

***Allowable Subject Matter***

12. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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**Conclusion**

13. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed R. Ghannam whose telephone number is (703) 308-6648. He can normally be reached Monday-Friday and alternate Friday from 8:00am-5:30pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached at (703) 305-4717. The fax phone number for this Group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4025.

Mohammed R. Ghannam

October 1, 1996

  
JEFFERY HOFSASS  
SUPERVISORY PATENT EXAMINER  
GROUP 2600